

# "CONVICTS HAD A FAIRER TRIAL"

—SENATOR DANIEL.

Strong Indictment of V. A. C. Authorities for Ostracizing Young Men.

## APPEAL TO THE LEGISLATURE

Judge Christian Submits Letter, With Criticism of Mr. Daniel's in Unfortunate Incident.

In the Senate yesterday Mr. Harman, of Richmond, offered a bill identical with that introduced in the House of Delegates Tuesday by Mr. Peyton, of Richmond, providing that the General Assembly shall set aside the judgment of the authorities of the Virginia Polytechnic Institute in the case of William B. Christian and others, cadets denied admission for alleged hazing.

On the desk of each member of the Legislature yesterday was placed a printed pamphlet containing a statement from Judge Christian and a letter from United States Senator John W. Daniel, both dealing in plain and deliberate words with the "hazing" incident. The pamphlet is an appeal from the judgment of the faculty and board of visitors and an indictment of the Institute's authorities generally. Senator Daniel is exceedingly plain-spoken, and denounces the Christian episode in unmeasured terms, declaring, among other things, that "there is not a convict in the penitentiary to-day who did not have a fairer trial."

### Appeal for Action.

"It is my painful duty, as a citizen and taxpayer of this Commonwealth," says Judge Christian, opening the case and formally addressing himself "to the Honorable, the General Assembly of Virginia," "to lay before you a statement of the treatment received by me, my son, William B. Christian, and Messrs. Edward P. Eubank and Julian M. Bailey at the hands of the authorities of the Virginia Polytechnic Institute, together with a review of the conduct of these authorities, written by my friend, Senator John W. Daniel. . . . I only ask that you, as the representatives of the people of this State, and under the law (Code section 1532), the final controllers of the authorities of this State institution, will carefully read and consider these papers, and that you will mete out to these students that justice which has been so flagrantly denied them by these authorities. I ask for them, and for myself, only that measure of justice and right which is due to the humblest citizen of this land. I conceive that I have no right to ask more, and cannot believe that you will grant less than this."

"I have made it a point to say nothing to any member of your body about this matter, except the Richmond delegation and those who have first written or spoken to me on the subject, believing, as I did, that when you read these papers you would feel the same indignation at the outrage and wrong they disclose that every other citizen who has read them has expressed and must feel."

### What Daniel Says.

After reviewing the case in extenso Judge Christian presents the letter from Senator Daniel, who also reviews the details of the incident familiar to the public already, and gives extracts from the letter of the senator following:

"That your son was simply condemned and refused the right to matriculate at the Institute I have not a doubt. The same may be said of the two other innocent cadets, Bailey and Eubank. They did not have a fair trial, and were not dealt with according to law. You have ably shown this with circumstantial narrative. My views, given from the standpoint of law and justice, are supplementary."

For over two and a half centuries the English-speaking people have held the faculty view to be neither "justice" or "common sense." The old Star Chamber Court of England became a proverb of obloquy. This abominable tribunal got its name from the stars of the chamber of Westminster Palace, "camera stellata," in which it sat, and as Coke tells us, "had stars on the roof." It was composed of privy counselors, lords, spiritual and temporal, and ran a course of over four centuries, by which it was able to maintain its existence. It ruled with a high and hard hand, and was often the tool of tyrants and the oppressor of the people. It sought to make accused persons criminate themselves. Public indignation drove its name from the scene at last, for the long Parliament came, and it was abolished in 1641.

The new Star Chamber organized at the Institute is more rigorous than its prototype.

Whether the boys were guilty of hazing, bowly in any sense is a small question compared to the questions raised by these medieval, Spanish-like methods.

Guilty or not guilty, they cannot be so treated, and so unjustly condemned. These methods are wholly without precedent, in Virginia, according to my experience and reading. Had I

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CHAS. G. JÜRGENS

419, 421 EAST BROAD ST.

read them with the names of persons omitted I would have supposed that they had taken place in Cuba or some other province of Spain. That shrivelled and unhappy country ascribed to world conflagration. It has lost its possessions and excited the abhorrence of mankind by just such arbitrary and unjust methods as were practiced by the assumed "powers that be" at the Virginia Polytechnic Institute.

I have had some experience with and observation of courts martial under the rigid military code, and have also had some experience in the criminal, as well as the civil courts; but I can truly say that neither in peace nor in war have I ever heard of known of any proceeding that was so devoid of every element of fairness.

Debarred from the sciences, are permitted to have counsel, especially when the army which has caught them is not in the immediate presence of the enemy.

I knew of a spy who was tried in the city of Lynchburg and condemned to execution. He was defended by the Hon. James Garland, an eminent lawyer at our bar, in the very month before General Lee's surrender.

You in affliction and distress with death in your family and your wife prostrated were denied the right to have your friend go in your stead before the faculty in his behalf. This was against the common law, and against common and natural right.

As a senator I have often intervened before the highest officials of the United States government and helped to obtain reconsiderations and re-examinations for cadets at the Naval Academy and at West Point, and have rejoiced to serve them. Quite a number of them are now in useful careers whom I had the happiness to serve to that end. There is not the slightest reason why I should not do the same in the State of my birth, when either friendship or any other worthy matters move me. No intelligent man can be indifferent to just public sentiment, but I do not concern myself as to what the hypercritical or the interested may say upon the subject. I am the sole judge of my conduct as a gentleman, and have no occasion to consult the authors or editors of the faculty pamphlet with respect to the proprieties.

Up to date, your son has had no fair trial and no fair hearing, but he is not remedied. The General Assembly has control. It can assert its authority, can remove the illegal sentence, and can give fair play. You may have other remedies in the courts of law if your appeal to the General Assembly should possibly fail. This I do not believe can be the case. Still, if it were, courts and juries yet remain, and in this Virginia land no man is above the law or beyond its reach.

The record meantime is in your possession. It is a book, by what illegal "star chamber" methods, and by what plain, legal rulings your son and Bailey and Eubank were convicted. The faculty pamphlet also remains with its self-convicting statements, inaccuracies and contradictions. No author reads them with the conclusion that there is not a criminal in the penitentiary to-day who did not have a fairer trial than your son and his associates, and also that there is not a citizen outside of the penitentiary who would be wonted to have his character, his civil right, or his property put in peril by any similar procedure.

No Action Yet.

Considerable interest is being manifested in both branches of the General Assembly in the V. P. I. affair, by which it has been taken in the matter yet. The bills have been referred to committees, which will probably conduct a hearing.

OLD PEOPLE CONSTANT SUFFERERS IN WINTER

Most old people are great sufferers in winter. They are seldom free from pains or ailments of some description, because they are not as able to withstand the severity of the climate, with its damp, changing weather, as are their younger, more vigorous companions. Cold weather starts the old aches and pains; they suffer with chilly sensations, cold extremities, poor appetite and digestion, nervousness, sleeplessness and other afflictions peculiar to old age. With advancing years the strength and vitality of the system begin to decline. The heart action is weak and irregular, the blood becomes thin and sluggish in its circulation, and often some old blood taint that has lain dormant in the system for years begins to manifest itself. A wart or pimple becomes a troublesome sore or ulcer, skin diseases break out, or the slight rheumatic pains felt in younger days now cause sleepless nights and hours of agony. There is no reason why old age should not be healthy and free from disease if the blood is kept pure and the system strong, and this can be done with S. S. S. It is a medicine that is especially adapted to old people, because it is made entirely of roots, herbs and barks, selected for their purifying, healing and building-up properties, and is very mild and gentle in its action. S. S. S. warms and reinvigorates the sluggish blood so that it moves with more rapidity, and clears it of all impurities and poisons. As this rich, healthy stream circulates through the body every part of the system is built up, the appetite and digestion improve, the heart action increases and the diseases and discomforts of old age pass away. S. S. S. cures Rheumatism, Catarrh, Skin Diseases, Sores and Ulcers, and all troubles arising from diseased blood.

THE SWIFT SPECIFIC CO., ATLANTA, GA.

# PULLING FOR A NORMAL SCHOOL

Norfolk and Newport News People Press Claims Before Joint Committee.

## WILL HAVE ANOTHER HEARING

Other Contesting Towns and Cities Desire to Make Their Wishes Known.

There was a good deal of oratory on the subject of the location of one of the proposed Normal Schools in Tidewater, Va., before a joint meeting of the Committees on Education last night, but no final action was taken. Members representing other sections joined in a request to be heard later on, and this will be acceded to.

A large number of gentlemen spoke for both the seaside cities, and at times there were spirited passages between the advocates of the two. Another meeting will be held shortly, when the other contesting cities and towns will be heard. "My bill is a meretricious one and I don't care what political faction in Norfolk is affected or how affected by it," he said last night.

"To the best of my knowledge they're always engaged in Kilkenny-cat politics in Norfolk. They fight over everything on general principles. They wrangle for any cause whatever or no cause at all." The bill will be upon its passage in the House one day this week.

## OYSTER CONFERENCE COMES TO AN END

Virginia Committee Divided on Closing Potomac to Dredging. Legislative Gossip.

The Virginia-Maryland oyster commission held their final session yesterday, and their labors resulted in but little in the way of tangible results. The proposition apparently carried on the previous day in the joint committee to close the Potomac River to dredging for two years was lost by a tie vote in the Virginia committee when a separate test case. The vote was as follows:

Ayes—Messrs. Green, Thornhill, Tallaferrero and Dickinson—4.  
Noes—Messrs. Walker, Rew, Gunter and Mason—4.

So there will be no recommendation on this line.

It was recommended that the Virginia Cull law be made applicable to both States, and that the laws punishing depredations in the waters of the Potomac be made more drastic. The Maryland committee left for home at noon yesterday.

Senator committees transacted a considerable amount of work yesterday, a number of important measures being taken up and passed upon. After a session lasting until nearly midnight, the Committee on General Laws reported favorably, with a number of consequential amendments, the Catoen Insurance bill. The Machen amendments to the Constitution relating to the election of commissioners of the revenue was reported.

Before Rabbi Cohen concluded his remarks, there was a sharp protest by him and his remarks were very happy. He was of the opinion that Norfolk was the ideal place for one of the normal schools. It may be established in Tidewater Virginia.

The speaker contended that, intellectually, morally and for many other reasons, Norfolk was the logical place in Tidewater for one of the system of proposed schools.

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## NORFOLK STIRRED OVER PULLER BILL

Measure Would Prevent Any Redistricting in Cities for Five Years.

The Puller bill having for its object the preventing of the redistricting of any city into wards within five years has created quite a sensation in Norfolk, though in terms it is applicable to all the cities of the State. The bill is now upon the calendar of the House, where it apparently has strong support. Representatives from other cities than Norfolk seem to be paying little or no attention to the matter, but it has created a great stir in political circles in the seaside city. City Attorney Richard Mollwaine, Jr.,

# MAKERS OF VIRGINIA LAWS.



SENATOR F. W. SIMS, OF LOUISA.

Captain W. W. Dey and Mr. James V. Trehy have all been in the city within the last twenty-four hours, and it is presumed that their visit had reference to the measure referred to.

The bill offered by Mr. Puller affects a situation in Norfolk, which is at once interesting. There is one ward down there, the lines of which one faction of the party seems greatly to desire shall be changed. The other wishes that they shall remain as at present, and on this point comes the fight. The main provision of the bill reads:

"But in no case shall the City Council redistrict the city into wards or change the boundaries of existing wards, except insofar as it may be necessary to change such boundaries for the purpose of attaching newly annexed territory to such existing ward or wards as may be existing thereto, after then and every five years, except upon a recorded vote of three-fourths of the members elected to the Council, or three-fourths of the members elected to each branch thereof; when the Council is composed of two branches; and in every such case the reason therefor shall be set forth in the ordinance providing for such redistricting."

It has been practically charged the bill was offered to meet political conditions in Norfolk. They fight over everything on general principles. They wrangle for any cause whatever or no cause at all."

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Knocks out all weakness gives new life, Vitality and Courage. Keeps the Kidneys healthy and active. A pure high class article that will do you good.

ALL GOOD DEALERS SELL IT

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# How to Exercise the Bowels

Your Intestines are lined inside with millions of little suckers, that draw the Nutrition out of food as it passes them. But, if the food passes too slowly, it decays before it gets through. Then the little suckers draw Poison from it instead of Nutrition.

This Poison makes a Gas that injures your system more than the food should have nourished it.

You see, the food is nourishment or Poison, just according to how long it stays in transit.

They do not waste any precious fluid of the Bowels, as Cathartics do. They do not relax the Intestines by greasing them inside like Castor Oil or Glycerine.

They simply stimulate the Bowel Muscles to do their work naturally, comfortably, and nutritiously.

And, the Exercise these Bowel Muscles are thus forced to take, makes them stronger for the future, just as Exercise makes your arm stronger.

The usual remedy for this delayed passage (called Constipation) is to take a big dose of Castor Oil.

This merely makes slippery the passage for unloading the current cargo. It does not help the Cause of delay a trifle.

It does slacken the Bowel-Muscles more than ever, and thus weakens them for their next task.

Another remedy is to take a strong Cathartic, like Salts, Calomel, Jalap, Phosphate of Sodium, Aperient Water, or any of these mixed.

What does the Cathartic do? It merely flushes-out the Bowels with a waste of Digestive Juice, set flowing into the Intestines through the tiny suckers.

But, the Digestive Juice was real in doing this today is needed for tomorrow's natural Digestion. We cannot afford to lose it.

That's why Cascarets are the only safe medicine for the bowels.

Cascarets are as safe to use constantly as they are pleasant to take.

They are purposely put up like candy, so you must eat them slowly and let them go down gradually with the saliva, which is in itself, a fine, natural Digestive.

They are put up purposely in thin, flat, round-cornered Enamel boxes, so they can be carried in a man's vest pocket, or in a woman's purse, all the time, without bulk or trouble.

Price 10c a box at all druggists. Be very careful to get the genuine made only by the Sterling Remedy Company and never sold in bulk. Every table stamped "CCC."

Send 10c, mentioning this paper, to Address: Sterling Remedy Company, Chicago or New York.

## FREE TO OUR FRIENDS!

We want to send to our friends a beautiful French-designed, GOLD-PLATED BONBON BOX, hard-enamelled in colors. It is a sturdy, desirable, ten cents in stamps is asked as a measure of good faith and to cover cost of Cascarets, with which this dainty trinket is loaded.

Send 10c, mentioning this paper, to Address: Sterling Remedy Company, Chicago or New York.

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President—J. G. WALKER. Secretary—W. L. T. ROGERSON. Organized and incorporated—MARCH 21, 1871. Commenced business—APRIL 1, 1871. Name of the General Agent in Virginia—H. W. ELLERSON; residence, RICHMOND, VA.

Amount of capital stock. . . . . \$100,000.00

Amount of interest received during the year ending December 31, 1905. . . . . \$1,850.17

Amount of losses paid. . . . . \$553,311.08

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